IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.232 OF 2005

Harish Chandra Gutt & Co. Pvt. Ltd. ... Petitioner.

vs.

Tejas S. Dandekar. .... Respondent.

Mr.P.G.Pravin, for Petitioner.

Mr.Shailesh Shah, for Respondent.

CORAM: D.K.DESHMUKH,J.

DATED: 18th July,2005

P.C.:-

1. Heard the learned Counsel for both the sides. The Appellate Tribunal of the Stock Exchange has held that even assuming that the balancesheet for the year 2001-2002 was not ready and was not finalised, the previous year's audited balancesheet should have been filed because the claim is in relation to that year. The learned Counsel for the petitioner is not in a position to justify as to why he has not submitted the audited balancesheet of the previous year. Heard the learned counsel for both the sides and after having gone through the record, I find that the award impugned is based on the

findings of the facts which are incapable of being disturbed in the jurisdiction this Court under section 34 of the Arbitration & Conciliation Act, The petition therefore, is rejected.